

STATE OF OHIO)
) SS:
COUNTY OF CUYAHOGA)

1:12 MJ 4075

UNITED STATES POSTAL INSPECTION SERVICE

I, FRANK W. PIHOKER, DO HEREBY DEPOSE AND SAY:

I am a United States Postal Inspector and have been so employed for over 17 years, presently assigned at Cleveland, Ohio to investigate Prohibited Mailing offenses. I have received training in the detection and investigation of drug trafficking. I have worked Prohibited Mailing (Narcotics) investigations for approximately 7 years, during which time I was involved in narcotics investigations leading to prosecution in U. S. District Court as well as state courts.

I know from my training and experience that Express Mail is commonly used to transport controlled substances because the Express Mail system provides traceability and reliable delivery. Further, the expected timeliness of Express Mail places time pressures on law enforcement agents to identify, search and deliver these drug parcels in a timely manner.

During March of 2012, your affiant, while examining U. S. Postal Service Express Mail labels at the Lakewood, OH Post Office 44107, became aware of what appeared to be suspicious Express Mail activity concerning the address P. O. Box 770974, Lakewood, OH 44107. Your affiant identified several prior mailings, all originating from Palm Springs, California to the subject address. Your affiant knows that California has been a major source state for mailed controlled substances into Northern Ohio. In addition, your affiant noticed the previously delivered Express Mail packages contained signature waivers. Your affiant knows signature waivers are commonly used on drug parcels so the intended recipients do not have to have contact with the delivery employee or law enforcement should the parcel be seized. Your affiant instructed employees at the Lakewood, OH Post Office to watch for any additional Express Mail parcels and to notify Inspectors if a parcel arrived for delivery.

On March 29, 2012, your affiant was contacted by management at the Lakewood, OH Post Office 44107, who reported they had received a U. S. Postal Service Express Mail parcel originating from Palm Springs, CA 92263 for delivery to Perfect Sound Design, P.O. Box 77097, Lakewood, OH 44107. Your affiant subsequently responded to the Lakewood Post Office 44107 and recovered the subject Express Mail parcel.

The subject parcel is described as a U. S. Postal Service Express Mail parcel bearing label no. EH930470427US addressed to Perfect Sound Design, P. O. Box 77097, Lakewood Ohio 44107 with a return address of Blue Agave Design, 574 S. Warm Sands Dr., Palm Springs CA 92264. The parcel is further described as a U. S. Postal Service Express Mail mailing envelope measuring approximately 12" X 9" in size and weighing approximately 6 oz. The Express Mail parcel contained a signature waiver, meaning the parcel could be delivered without obtaining a delivery signature. The subject Express Mail parcel was mailed on March 28, 2012, from the Palm Springs, CA Post Office 92263 and bore \$18.95 in U.S. postage. Your affiant knows that California has historically been a major source area for controlled substances mailed to Northern Ohio.

Investigators made inquiries with Accurant, an electronic database that has proven reliable in previous investigations in determining the legitimacy of name and address information, and were unable to associate the business name Blue Agave Design with the listed return address. Your affiant spoke with the Palm Springs, CA Post Office 92264 and learned that Blue Agave Design is not associated with the listed return address. Your affiant also made inquiries regarding the delivery address and learned the P. O. Box number listed on the subject Express Mail parcel was non-existent. The correct P. O. Box for Perfect Sound Design is P. O. Box 770974. Additional investigation revealed the box holder for P. O. Box 770974 is Troy Bradford. Your affiant ran a criminal history inquiry on Troy Bradford which revealed drug related arrests in 2001, 2002, 2003, 2007 and 2008,

Your affiant knows, based on his training and experience, that individuals using the U. S. Mails for the purpose of transporting controlled substances will often place fictitious address and/or name information on these parcels, particularly on the return address, to conceal their true identities from law enforcement should the parcel be seized.

On March 29, 2012, the subject parcel was subjected to "Sammy", a narcotic detection canine handled by Detective Michael Twombly of the Cuyahoga County Sheriff's Department. According to Detective Twombly, Sammy gave a positive alert on the subject parcel. According to Detective Twombly, this positive alert meant Sammy detected the odor of an illegal drug emanating from the parcel.

Detective Twombly has been State Certified as a Narcotics Canine handler and he and narcotics canine Sammy have worked together since 2007. Detective Twombly and canine Sammy were both recertified in March 2011 by the Ohio Peace Officers Training Academy (OPOTA). Detective Twombly and canine Sammy have both completed 200 hours of a state-certified training program at Excel K-9 Services, Inc., in Lyndhurst, Ohio under Certified Trainer Paul J. Shaughnessy of the NAPWDA, a nationally organized police work dog association that provides training for dogs and handlers. During this time, Sammy was trained and certified to alert to the presence of the odors from marijuana, cocaine, heroin, MDEA (methylenedioxyethylamphetamine), MDMA (methylenedioxymethamphetamine), methamphetamine ("crystal meth"), and/or their derivatives. Detective Twombly has been trained how to handle a detector K-9 and read his alerts.

Based on the information contained herein, your affiant maintains there is probable cause to believe that the U. S. Postal Service Express Mail parcel bearing label no. EH930470427US addressed to Perfect Sound Design, P. O. Box 77097, Lakewood Ohio 44107 with a return address of Blue Agave Design, 574 S. Warm Sands Dr., Palm Springs CA 92264 contains controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).



FRANK W. PIHOKER
POSTAL INSPECTOR

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 29TH DAY OF MARCH, 2012, AT
CLEVELAND, CUYAHOGA COUNTY, OHIO



Nancy A. Vecchiarelli
U. S. Magistrate Judge